

LABOUR DEPARTMENT

The 25th November, 1985

No. 9/5/84-6Lab/9449.—In pursuance of the provisions of Section 17 of the Industrial Disputes Act, 1947 (Central Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Ambala in respect of the dispute between the workman and the management of M/s Yamuna Nagar Central Co-operative Consumer Store Ltd. Yamunanagar.

IN THE COURT OF SHRI V.P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT,
AMBALA

Reference No. 381 of 1984

(Old No. 83 of 1982)

SHRI RATTAN SINGH WORKMAN AND THE MANAGEMENT OF MESSRS YAMUNA-
NAGAR CENTRAL CO-OPERATIVE CONSUMER STORE LTD.
YAMUNANAGAR.

Present:—

Shri Balbir Singh with the workman.

Respondent was proceeded *ex-parte*.

AWARD

The Hon'ble Governor of Haryana in exercise of powers conferred, *vide* clause (c) of Sub-Section 10 of the Industrial Disputes Act, 1947 referred the following dispute between Shri Rattan Singh workman and the management of the Messrs Central Co-operatives Consumer Stores, Ltd. to Labour Court, Faridabad. The terms of the reference are as under :—

“Whether the termination of services of Shri Rattan Singh workman was justified and in order ?
not to what relief is he entitled to ?”

On constitution of this Court this reference was received by transfer.

Briefly stated that the facts of the controversy between the parties are that Shri Rattan Singh joined the services of respondent as a sales man and the services were terminated on 30th April, 1981. Before passing the order in question no notice no pay in lieu of notice period and no retrenchment compensation was paid to him so he has prayed for his re-instatement with continuity in service with full back wages etc.

Notice of this reference was served upon respondent Shri A.K. Bishnoi appeared on 8th August, 1985 the case was posted for management evidence for 5th September, 1985 but on 5th September, 1985 none appeared for respondent. So respondent management was proceeded *ex parte*. On the next date of hearing i.e. 9th October, 1985 Shri Rattan Singh workman examined himself as he supported his case as narrated above.

I have heard Shri Balbir Singh Authorised Representative of the workman and have perused the *ex parte* evidence available on file and of the view that as per on oath statement of Shri Rattan Singh workman he joined services of respondent as a sales man and remained in the services of respondent for one year and one month thereafter he was removed from this service without any notice or making payment of pay in lieu of notice period. Workman was not even paid retrenchment compensation so this shows that there is a Violation of Section 25 (F). Hence the workman is entitled to re-instatement with continuity of service as well as full back wages. I pass my *ex parte* award accordingly.

V. P. CHAUDHARY,

Dated the 9th October, 1985.

Presiding Officer,
Labour Court, Ambala.

Endorsement No. 2465, dated the 10th October, 1985.

Forwarded (four copies) to the Financial Commissioner and Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

V. P. CHAUDHARY,

Presiding Officer,
- Labour Court, Ambala.